UNITED NATIONS **A**

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A/RES/48/32
1 February 1994

Forty-eighth session
Agenda item 144

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/48/613)]

48/32. Report of the United Nations Commission on International Trade Law on the work of its twenty-sixth session

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it created the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Reaffirming its conviction that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would significantly contribute to universal economic cooperation among all States on a basis of equality, equity and common interest and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

Stressing the value of participation by States at all levels of economic development and from different legal systems in the process of harmonizing and unifying international trade law,

Having considered the report of the United Nations Commission on International Trade Law on the work of its twenty-sixth session, 1/

1/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 17 (A/48/17).

Mindful of the valuable contribution being rendered by the United Nations Commission on International Trade Law within the framework of the United Nations Decade of International Law,

Having considered also the report of the Secretary-General, 2/

Concerned about the continuing relatively low incidence of expert representation from developing countries at sessions of the Commission and particularly of its working groups during recent years, due in part to inadequate resources to finance the travel of such experts,

1. Takes note with appreciation of the report of the United Nations Commission on International Trade Law on the work of its twenty-sixth session; 1/

2. Welcomes the ongoing work of the Commission and appreciates the many proposals on possible future work made during the Congress on International Trade Law of the United Nations Commission on International Trade Law, held in New York from 18 to 22 May 1992, and, in this connection:

(a) Welcomes the decision of the Commission to request its secretariat to commence work in preparation of guidelines for pre-hearing conferences in arbitral proceedings;

(b) Also welcomes the decision of the Commission to continue considering the other proposals made during the Congress as part of its future programme of work;

3. Reaffirms the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to coordinate legal activities in this field in order to avoid duplication of effort and to promote efficiency, consistency and coherence in the unification and harmonization of international trade law and, in this connection, recommends that the Commission, through its secretariat, continue to maintain close cooperation with the other intergovernmental and non-governmental organizations, including regional organizations, active in the field of international trade law;

4. Also reaffirms the importance, in particular for developing countries, of the work of the Commission concerned with training and assistance in the field of international trade law and the desirability for it to sponsor seminars and symposia to provide such training and assistance, and, in this connection:

(a) Expresses its appreciation to the Commission for organizing seminars at Bangkok; Jakarta; Lahore, Pakistan; Colombo; Dhaka; Kiev; Warsaw; and Rogaska Slatina, Slovenia, and for assisting the Pacific Economic Cooperation Council with its initiative to promote harmonization of international trade law in the Asia-Pacific region, and to the Governments whose contributions enabled the seminars to take place;

2/ A/48/296.

(b) Urges Governments, the relevant United Nations organs, organizations, institutions and individuals to make voluntary contributions to the trust fund for the United Nations Commission on International Trade Law symposia and, where appropriate, to the financing of special projects, and otherwise to assist the secretariat of the Commission in financing and organizing seminars and symposia, in particular in developing countries, and in the award of fellowships to candidates from developing countries to enable them to participate in such seminars and symposia;

(c) Appeals to the United Nations Development Programme and other United Nations bodies responsible for development assistance to support the training and technical assistance programme of the Commission and to cooperate and coordinate their activities with those of the Commission;

5. Requests the Secretary-General, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to establish a separate trust fund for the Commission to grant travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General;

6. Decides, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to continue its consideration in the competent Main Committee during the forty-eighth session of the General Assembly on granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General;

7. Expresses its appreciation to the Commission for organizing the Fifth Symposium on International Trade Law of the United Nations Commission on International Trade Law at Vienna from 12 to 16 July 1993 during its twenty-sixth session;

8. Stresses the importance of bringing into effect the conventions emanating from the work of the Commission for the global unification and harmonization of international trade law, and to this end invites States that have not yet done so to consider signing, ratifying or acceding to these conventions;

9. Requests the Secretary-General to submit a report on the implementation of paragraphs 5 and 6 above to the General Assembly at its forty-ninth session.

73rd plenary meeting
9 December 1993

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/48/613)]

48/33. Model Law on Procurement of Goods and Construction of the United Nations Commission on International Trade Law

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it created the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Noting that procurement constitutes a large portion of public expenditure of most States,

Noting also that a model law on procurement establishing procedures designed to foster integrity, confidence, fairness and transparency in the procurement process will also promote economy, efficiency and competition in procurement and thus lead to increased economic development,

Being of the opinion that the establishment of a model law on procurement that is acceptable to States with different legal, social and economic systems contributes to the development of harmonious international economic relations,

Being convinced that the Model Law on Procurement of Goods and Construction of the United Nations Commission on International Trade Law 1/ will significantly assist all States, including developing countries and States whose economies are in transition, in enhancing their existing procurement laws and formulating procurement laws where none presently exist,

1. Takes note with satisfaction of the completion and adoption by the United Nations Commission on International Trade Law of the Model Law on Procurement of Goods and Construction together with the Guide to Enactment of the Model Law; 2/

2. Recommends that, in view of the desirability of improvement and uniformity of the laws of procurement, States give favourable consideration to the Model Law when they enact or revise their procurement laws;

3. Recommends also that all efforts be made to ensure that the Model Law together with the Guide become generally known and available.

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1/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 17 (A/48/17), chap. II.

2/ Ibid., paras. 218-258.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/48/613)]

48/34. United Nations Convention on the Carriage of Goods by Sea, 1978 (Hamburg Rules)

The General Assembly,

Reaffirming its conviction that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, would significantly contribute to universal economic cooperation among all States on a basis of equality, equity and common interest, and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

Recalling the entry into force, on 1 November 1992, of the United Nations Convention on the Carriage of Goods by Sea, 1978 (Hamburg Rules), 1/

1. Invites all States to consider becoming parties to the United Nations Convention on the Carriage of Goods by Sea, 1978 (Hamburg Rules);

2. Requests the Secretary-General to continue to make increased efforts to promote wider adherence to the Convention.

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1/ Official Records of the United Nations Conference on the Carriage of Goods by Sea, Hamburg, 6-31 March 1978 (United Nations publication, Sales No. E.80.VIII.1), document A/CONF.89/13, annex I.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/48/614)]

48/35. Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country, 1/

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations 2/ and the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations 3/ and the responsibilities of the host country,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

Noting the spirit of cooperation and mutual understanding that has guided the deliberations of the Committee on issues affecting the United Nations community and the host country,

Welcoming the increased interest shown by Member States in participating in the work of the Committee,

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1/ A/48/26.

2/ Resolution 22 A (I).

3/ See resolution 169 (II).

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Welcoming also the efforts to explore ways to rationalize the work of the Committee, and in particular its agenda,

1. Endorses the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 58 of its report; 1/

2. Considers that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations is in the interests of the United Nations and all Member States, and expresses the hope that the host country will continue to take all measures necessary to prevent any interference with the functioning of missions;

3. Expresses its appreciation for the efforts made by the host country, and hopes that problems raised at the meetings of the Committee will continue to be resolved in a spirit of cooperation and in accordance with international law;

4. Voices its concern that the amount of financial indebtedness resulting from non-compliance with contractual obligations of certain missions accredited to the United Nations has increased to alarming proportions, reminds all permanent missions to the United Nations, their personnel and Secretariat personnel of their responsibilities to meet such obligations, and expresses the hope that the efforts undertaken by the Committee, in consultation with all concerned, will lead to a solution of this problem;

5. Welcomes the lifting of travel controls by the host country with regard to certain missions and staff members of the Secretariat of certain nationalities, and expresses the hope that the remaining travel restrictions will be removed by the host country as soon as possible, and in this regard notes the positions of the affected States, of the Secretary-General and of the host country;

6. Supports the efforts of the Chairman of the Committee, Member States and the Secretariat to explore ways to rationalize the work of the Committee and its agenda, permitting it to remain efficient and responsive, and in keeping with the overall spirit of its mandate;

7. Requests the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

8. Requests the Committee to continue its work, in conformity with General Assembly resolution 2819 (XXVI) of 15 December 1971;

9. Decides to include in the provisional agenda of its forty-ninth session the item entitled "Report of the Committee on Relations with the Host Country".

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